

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LEROY MOORE,

Plaintiff,

-against-

HOULIHAN'S RESTAURANT, INC., MANTIFF
MANAGEMENT, INC., FALGUN DHARIA, RAVI
DOE, AARON DOE, REGGIE DOE,

Defendants.
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FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ JUN 17 2011 ★

BROOKLYN OFFICE

ORDER

07-CV-3129 (ENV) (RER)

VITALIANO, D.J.

Plaintiff Leroy Moore brought this action for employment discrimination against defendants Houlihan's Restaurant, Inc., Mantiff Management Inc., Falgun Dharia, Ravi Doe, Aaron Doe, and Reggie Doe. On November 21, 2007, Mantiff Management was served with the complaint, via personal service on Dharia. After defendants failed to appear or otherwise respond to the complaint, plaintiff moved for default judgment. On May 6, 2010, the Court dismissed Houlihan's Restaurant, Ravi Doe, Aaron Doe, and Reggie Doe; granted plaintiff's motion for default judgment as to Mantiff Management and Dharia; and referred this action to Magistrate Judge Andrew L. Carter to conduct an inquest. On August 23, 2010, the action was referred to Magistrate Judge Ramon E. Reyes after Judge Carter recused himself.

Following a review of the relevant submissions, Magistrate Judge Reyes issued a Report and Recommendation ("R&R") on May 10, 2011, recommending that judgment be entered against Mantiff Management and Dharia, jointly and severally, in an amount of \$97,763.43, which includes \$50,000 for pain and suffering, \$20,310 for economic losses, and \$27,453.43 for

attorney's fees and costs. No objections to Judge Reyes's R&R have been timely filed.

In reviewing a report and recommendation, the court "may accept, reject, or modify, in whole or in part, the findings and recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). Moreover, in order to accept a magistrate judge's report and recommendation where no timely objection has been made, the "court need only satisfy itself that there is no clear error on the face of the record." Urena v. New York, 160 F. Supp. 2d 606, 609-10 (S.D.N.Y. 2001) (quoting Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)).

After careful review of all the evidence in the record below, the Court finds the R&R to be correct, comprehensive, well-reasoned, and free of any clear error. The Court, therefore, adopts the R&R in its entirety as the opinion of the Court. Accordingly, for the reasons stated in the R&R, plaintiff is awarded \$50,000 for pain and suffering, \$20,310 for economic losses, and \$27,453.43 for attorney's fees and costs, for a total of \$97,763.43.

The Clerk is directed to enter judgment and to close this case.

SO ORDERED.

Dated: Brooklyn, New York
June 10, 2011

s/Eric N. Vitaliano

ERIC N. VITALIANO
U.S.D.J.